

1 HONORABLE James L. Robart  
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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

Stephenie Y. Lock, an individual;  
Plaintiff,  
vs.  
American Family Insurance Company, a  
Foreign Corporation, doing business in  
Washington,  
Defendant.

Case No.: 2:16-cv-01395-JLR

**JOINT STATUS REPORT  
AND PROPOSED  
DISCOVERY PLAN**

TO: AMERICAN FAMILY INSURANCE COMPANY  
AND TO: RORY W. LEID, III, CHRISTOPHER ROSLANIEC, Attorneys for Defendant  
American Family Insurance Company

Pursuant to the Court's Order Regarding Initial Disclosures, Joint Status Report, and Early  
Settlement, the parties in the above-captioned lawsuit submit the following Joint Status  
Report and Discovery Plan:

Joint Status Report and Discovery Plan - 1  
(2:2016-cv-01395-JLR)

THE LAW OFFICES OF  
VONDA M. SARGENT  
119 FIRST AVE. SO., STE. 500  
SEATTLE, WA 98104-2564  
TEL: (206) 838-4970  
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1       1. Nature and Complexity of the Case:

2           This is a UIM matter with extra-contractual claims against American Family to  
3 include IFCA, bad faith, CPA and breach of contract.

4       2. Deadline for Joining Additional Parties:

5           There will be no additional parties and no additional parties will be named.

6       3. Assignment to Magistrate:

7           No.

8       4. Proposed Discovery Plan:

9           The parties have agreed to the following proposed discovery plan:

10           (A) Plaintiff's Statement: Initial Disclosures have been exchanged, plaintiff  
11           objects to the addition of an expert by defendant as this matter was set for jury  
12           trial less than three weeks before it was removed for the second time.

13           Defendant's Statement: This matter was set for trial for October 3, 2016, and  
14           the discovery cutoff was September 6, 2016. The matter was removed on  
15           September 1, 2016, thus the majority of, if not all, discovery has occurred in  
16           the Superior Court, and little additional discovery is anticipated. Any  
17           remaining discovery issues will be governed by the Federal Rules.

18           (B) Plaintiff's Statement: All the discovery in this matter has been completed,  
19           defendant however, agrees that the expert report from plaintiff will be provided  
20           pursuant to the Federal Rules.

21           Defendant's Statement: This matter was set for trial for October 3, 2016, and  
22           the discovery cutoff was September 6, 2016. The matter was removed on  
23           September 1, 2016, thus the majority of, if not all, discovery has occurred in

1 the Superior Court, and little additional discovery is anticipated. Any  
2 remaining discovery issues will be governed by the Federal Rules.  
3

4 (C) There is no issue with electronically stored information.  
5 (D) – (E) The Parties have previously agreed to a protective order, which shall remain  
6 in effect.  
7 (F) The expert report from plaintiff will be submitted pursuant to the applicable  
8 federal rule.

9 5. The parties views, proposals et. al.:

10 (A) Prompt case resolution. This matter was set for jury trial when it was  
11 removed, the parties can try this case once the Court rules on the pending  
12 motions and a date can be agreed upon.  
13 (B) Alternative Dispute resolution. Plaintiff will engage in ADR through the  
14 court system as the costs associated with mediation far out weigh the  
15 benefit to Plaintiff. If Defendant fronts the costs for mediation, Plaintiff  
16 has no intention of paying any portion. Defendant will front the cost of  
17 mediation. The parties anticipate mediation will take place on November  
18 15<sup>th</sup> or 16<sup>th</sup>.  
19 (C) There are no related cases.  
20 (D) Plaintiff's Statement: The parties agree discovery is completed aside from  
21 expert report from plaintiff, plaintiff specifically objects to the addition of  
22 any additional witnesses;  
23

Defendant's Statement: This matter was set for trial for October 3, 2016, and the discovery cutoff was September 6, 2016. The matter was removed on September 1, 2016, thus the majority of, if not all, discovery has occurred in the Superior Court, and little additional discovery is anticipated. Any remaining discovery issues will be governed by the Federal Rules.

- (E) Discovery is completed aside from expert report from Plaintiff's expert.
- (F) There are currently motions pending;
- (G) This is not an issue;
- (H) None;
- (I) Not applicable.
- (J) None.

6. Discovery. All discovery will be completed after the report from Plaintiff's expert has been served on defendant pursuant to the applicable federal rule.

7. Bifurcation: No bifurcation is necessary.

8. Pretrial statements and order:

Plaintiff's Statement: Pretrial statements and a pretrial order are unnecessary in this case.

1 Defendant's Statement: Defendant does not believe pretrial statements and the pretrial  
2 order should be dispensed with.

3 9. Individual Trial Program:

4 Plaintiff's Statement: The plaintiff believes this case might be appropriate for a speedy  
5 resolution.

6 Defendant's Statement: Defendant does not intend to utilize the Individualized Trial  
7 Program set forth in Local Civil Rule 39.2.

8 10. Any other suggestions: None at this juncture.

9 11. Date case ready for trial: The parties will confer regarding a trial date following the  
10 Court's ruling on pending motions.

12 12. Whether the trial will be jury or non-jury: Jury.

13 13. Number of trial days: The parties anticipate 5 court days.

14 14. Trial Counsel:

15 Counsel for Plaintiff:

16 LAW OFFICE OF VONDA M. SARGENT  
17 Vonda M. Sargent  
18 WSBA No. 24552  
19 Attorney for Stephenie Y. Lock  
20 Carol Farr  
21 WSBA No. 27470  
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Counsel for Defendant:

COLE WATHEN LEID HALL, P.C.  
Rory W. Leid, III  
WSBA No. 25075  
Christopher Roslaniec  
WSBA No. 40568  
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Joint Status Report and Discovery Plan - 5  
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15. The dates on which trial counsel may have complications in setting trial date:

16. Plaintiff's counsel is unavailable October 31-November 8, 2016, and November 19-27, 2016.

17. All parties have been served.

18. The parties do not believe that a scheduling conference is necessary.

19. Defendant filed its corporate disclosure statement on September 9, 2016.

20. DATED: October 21, 2016

21. DATED: October 21, 2016

22. LAW OFFICE OF VONDA M. SARGENT

23. COLE WATHEN LEID HALL, P.C.

24. /s/ Vonda M. Sargent

25. Vonda M. Sargent

26. WSBA No. 24552

27. Carol Farr

28. WSBA No. 27470

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35. /s/Chris Roslaneic

36. Rory W. Leid, III

37. WSBA No. 25075

38. Christopher Roslaneic

39. WSBA No. 40568

40. Attorneys for Defendant American

41. Family Insurance Company

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47. [croslaneic@cwhlaw.com](mailto:croslaneic@cwhlaw.com)

25. Joint Status Report and Discovery Plan - 6  
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## **CERTIFICATE OF SERVICE**

I hereby certify that on the date written below, I electronically filed the foregoing Joint Status Report and Proposed Discovery Plan with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following attorneys for Defendant:

## COLE WATHEN LEID HALL, P.C.

Rory W. Leid, III

**WSBA No. 25075**

## Christopher Roslaniec

**WSBA No. 40568**

## Attorneys for Defendant American Family Insurance Company

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[croslaniec@cwhlaw.com](mailto:croslaniec@cwhlaw.com)

Dated at Seattle, Washington this 21st day of October 2016.

/s/ Krysta Renton  
Krysta Renton, Paralegal

Joint Status Report and Discovery Plan - 7  
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